



Entered on Docket
October 27, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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E-FILED: October 20, 2009

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In Re:) Case No. BKS-09-25196-LBR
) Chapter 13
)
)
Wilfred H. Cormier and Maria M.) Hearing Date: October 15, 2009
Escuin,) Hearing Time: 2:30 P.M.
)
)
Debtor (s).)
)

**ORDER ON MOTION TO VALUE COLLATERAL, "STRIP OFF" AND
MODIFY RIGHTS OF WELLS FARGO BANK NV N.A. (ACCT ENDING IN
1998) PURSUANT TO 11 U.S.C. §506(a) AND §1322 BY DEBTORS**

THE ABOVE MATTER having been heard at the time and date above the Court Finds as follows:

1. The Debtors' property located at 9907 SHILOH HEIGHTS STREET
2. LAS VEGAS, NEVADA 89178 (the "Subject Property") is valued at \$276,538.00.

3. That on the filing date of the instant Chapter 13 petition, WELLS FARGO BANK NV N.A. (ACCT ENDING IN 1998)'s claim was wholly unsecured.

IT IS THEREFORE ORDERED THAT WELLS FARGO BANK NV N.A. (ACCT ENDING IN 1998)'s secured claim is "Stripped off" and shall be avoided pursuant to 11 U.S.C. Section 506(a) upon completion and/or discharge of the Debtors' Chapter 13;

IT IS FURTHER ORDERED THAT WELLS FARGO BANK NV N.A. (ACCT ENDING IN 1998)'s secured rights and/or lien-holder rights in the Subject Property shall be terminated upon completion of the Debtors' Chapter 13 and WELLS FARGO BANK NV N.A. (ACCT ENDING IN 1998)'s claim shall be treated as an "unsecured" claim in the Debtors' Chapter 13;

IT IS FURTHER ORDERED THAT in the event the instant Chapter 13 matter is dismissed or converted to a Chapter 7 proceeding the instant Order shall be vacated.

DATED October 20, 2009

HAINES & KRIEGER, L.L.C.

By: /s/David Krieger, Esq.
David Krieger, Esq.
Attorney for Debtors(s)

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ALTERNATIVE METHOD re: RULE 9021:

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

APPROVED:

DISAPPROVED:

FAILED TO RESPOND: Rick A. Yarnall, Esq.

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